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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,030	07/23/2001	Michael E. Orshansky	22272-06093	5129
758	7590	05/01/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			JASMIN, LYNDA C	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/912,030	ORSHANSKY ET AL.
Examiner	Art Unit	
Lynda Jasmin	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 2-68 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Response received March 28, 2006 has been acknowledged. The final Office Action February 27, 2006, has been withdrawn, however, in response to the amendment filed December 12, 2005, a new final Office Action follows.

Terminal Disclaimer

2. The terminal disclaimer filed on March 28, 2006 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US Patent number 6,748,287 B1 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4, 8, 11, 18, 26, 30, 33, 36, 40, 48, 52, 55, 58 and 62 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 4, 26 and 48, the recitation "a vendor's process" renders these claims indefinite since it is unclear if Applicants are referring to the same vendor's process.

In claims 8, 30 and 52, the recitation "of the delivery dates" renders these claims indefinite since it contradicts with previous language of --certain delivery dates--.

In claims 11, 33 and 55, the recitation “the chart generated from the database representation” appears to be incomplete.

In claims 18, 40, and 62, the recitation “wherein WIP volumes are converted to expected good parts” is unclear since WIP volumes are not positively set forth in the parent claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan (2002/0032611) in view of Hegde et al. (2002/0198757).

As best understood, Khan discloses a computer-implemented method and system for generating a work-in-progress (WIP) tracking report for the manufacture of a semiconductor part for a customer, the WIP tracking report reflecting a progress of WIP for the semiconductor part through a semiconductor supply chain of vendors, comprising: receiving via a communications network one or more WIP updates from one or more vendors in the semiconductor supply chain (via receiving via the web update of product BOM information and distribute it to other vendors in the supply chain force); updating a database representation of the semiconductor supply chain to reflect the received WIP updates (via maintaining product information on a parts database, such as price, availability, units in stock, engine model numbers, etc. and link this

information via JDBC, ODBC, CORBA and other emerging data connector standards within the CSM (component supplier management program), generating by computer a WIP tracking report from the database representation of the semiconductor supply chain (via creating a complete bill of material including supplier part numbers pricing, and other relevant engineering and procurement data needed to either order the parts in question or simply keep track of inventory information for further analysis and reduce costly not ordering parts that are readily available in the market); and making the WIP tracking report available to the customer (via saving data on the web to a secure location and making it available to only allowed parties via a control list).

However, Khan fail to explicitly disclose raw work-in-progress.

Hegde discloses the complexity of manufacturing of semiconductors including everything from growing silicon crystals, to the actual placement and soldering of chips to a printed circuit board. Where initially, raw wafers are cut from a silicon ingot and processed through a specific sequence of work centers. Hegde further discloses the concept of computing time at which the WIP becomes available at the projected work center based on known cycle times at each work center. From this teaching of Hegde, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the aggregation of multiple vendor's data of Khan to include the specific of a semiconductor manufacturing process in order to finished product demand based on manufacturing information.

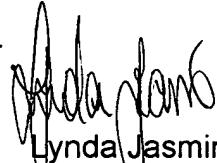
Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yen et al. and Rothschild are cited as art of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (571) 272-6782. The examiner can normally be reached on Monday- Friday (9:30-6:00) with Thursday Telework.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lynda Jasmin
Primary Examiner
Art Unit 3627